THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.NO.26394 OF 1995

BETWEEN:

G.Mallaiah

.. Petitioner

and

A.P. State Seed Certification Agency and another

.. Respondent

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.NO.26394 OF 1995

ORDER:

In this writ petition the petitioner sought for declaration that he is entitled to regularization of his services as watchman and for all other consequential reliefs.

The averments in the affidavit show that the petitioner, who was appointed as watchman in the office of the second respondent on 01.05.1991 on daily wage basis was being paid consolidated pay of Rs.900/- from 04.01.1993. From 08.09.995 he was asked to discharge the duties of watchman for day duty and also to attend night duty whenever it is necessary. It is further stated in the affidavit that when his salary was stopped from September, 1995, the petitioner approached the respondents and he was then informed orally that his services would be terminated. The petitioner alleges that no notice or opportunity was given to him before orally terminating his services.

The respondents, though entered appearance, have not filed any counter affidavit. However, from the averments of the affidavit I am not satisfied that the petitioner is entitled to the relief sought for in the writ petition, except vaguely stating that the petitioner had been on duty from 01.05.1991. The petitioner has not specifically pleaded that any of the statutory provisions have been violated by the respondents in terminating the petitioner's services. Though, the learned counsel for the petitioner during the course of hearing refers to Section 25(f) of the Industrial Disputes Act, no such averment has been made in the affidavit to the effect that the said provision has been violated. It cannot, therefore, be held that termination of the petitioner's services are in violation of Section 25(f) of the Industrial Disputes Act or any other statutory provisions. As regards the relief claimed for regularization, the learned counsel failed to show any provision of law under which

the petitioner is entitled to seek regularization.

Having regard to the above facts and circumstances, I am not inclined to grant any relief to the petitioner.

The writ petition is accordingly dismissed. No order as to costs.

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C.V.NAGARJUNA REDDY,J

Dated: 25-09-2006
kvrm